

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 25-MJ-1319

SEBASTIAN TZIB PUTUL

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of June 9, 2025, in the County of Erie, in the Western District of New York, the defendant, an alien, was found in the United States, after previously being removed or deported from the United States, without prior authorization or approval from the Attorney General of the United States, or the Secretary of the Department of Homeland Security, in violation of Title 8, United States Code, Sections 1326(a).

This Criminal Complaint is based on these facts:

☒ Continued on the attached sheet.

Thomas J. Coffman
Complainant's signature

THOMAS J. COFFMAN
Border Patrol Agent
United States Border Patrol

Printed name and title

Sworn to before me and signed telephonically.

Date: June 17, 2025

Jeremiah J. McCarthy

Judge's signature

City and State: Buffalo, New York

HONORABLE JEREMIAH J. MCCARTHY
United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

I, Thomas J. Coffman, being duly sworn, deposes and says that:

1. I am a United States Border Patrol Agent with the United States Border Patrol, within the Department of Homeland Security (DHS), stationed in Buffalo, New York. I have been employed as a Border Patrol Agent for fourteen (14) years. In such capacity, my official duties include investigating people who have violated federal immigration laws and other related federal statutes. I have conducted and participated in investigations relating to unauthorized re-entry in the United States, in violation of Title 8, United States Code, Section 1326(a).

2. As a Border Patrol Agent, I am authorized to investigate violations of laws of the United States, and I am a Law Enforcement Officer with the authority to effectuate arrests and execute criminal complaints and warrants issued under the authority of the United States. As part of my current duties, I have become involved in an investigation of a suspected violation of Title 8, United States Code, Section 1326(a) (Re-entry of Removed Aliens).

3. I make this Affidavit in support of the Criminal Complaint charging Sebastian TZIB PUTUL (hereinafter "TZIB PUTUL"), an alien, born in 1992 in Guatemala, with having been found in the United States after having been previously removed or deported

from the United States, without first applying to the Attorney General or the Secretary of the Department of Homeland Security, for permission to re-enter the United States, in violation of Title 8, United States Code, Section 1326(a).

4. The statements contained in this affidavit are based upon my personal observations, my training and experience, my review of database checks and official records, and upon information provided to me by other U.S. Border Patrol and other law enforcement officers. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant did knowingly violate Title 8, United States Code, Sections 1326(a).

PROBABLE CAUSE

5. On or about June 9, 2025, Buffalo Border Patrol Station agents encountered a vehicle in Cheektowaga, New York, within the Western District of New York. This vehicle was registered to an out of state contracting company and is known to employ illegal aliens.

6. The vehicle was stopped and on scene, Border Patrol Agents encountered six subjects, including TZIB PUTUL, whom was a passenger in the vehicle, and questioned the subjects as to their citizenship and legal status in the United States.

7. The subjects consented to questioning and Border Patrol Agents confirmed through questioning that TZIB PUTUL is a citizen and national of Guatemala, and not a

national of the United States. This was confirmed through the Buffalo Sector Integrated Border Communications Center (IBCC) who conducted a record check on TZIB PUTUL. TZIB PUTUL stated that he did not have any documents that would allow him to be or remain in the United States lawfully.

8. U.S. Border Patrol Agents took TZIB PUTUL into custody. As a part of processing, an electronic scan of TZIB PUTUL's fingerprints were taken to verify his identity and any immigration history he may have in the United States. This query resulted in an identical biometric match revealing that TZIB PUTUL had been issued an FBI number and immigration fingerprint identification number.


9. Criminal and immigration database record checks associated with TZIB PUTUL's fingerprints revealed the following:

- a. TZIB PUTUL is a native and citizen of Guatemala.
- b. TZIB PUTUL was ordered removed by an Agency Official with the United States Border Patrol on or about January 3, 2024, in McAllen, Texas.
- c. On or about January 3, 2024, TZIB PUTUL was served a warning to aliens being ordered removed or deported.
- d. On or about January 12, 2024, TZIB PUTUL was physically removed from the United States via air from McAllen, Texas, pursuant to an order of removal.

10. There is no record that TZIB PUTUL had applied for or received any authorization or approval from the Attorney General of the United States, or the Secretary of


the Department of Homeland Security to re-enter the United States after his last removal.

11. Based on the foregoing, your affiant respectfully submits that there is probable cause to believe that on or about June 9, 2025, within the Western District of New York, Sebastian TZIB PUTUL, an alien who was removed from the United States on or about January 12, 2024, was found in the United States without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, in violation of Title 8, United States Code, Section 1326(a).



THOMAS J. COFFMAN
U.S. Border Patrol Agent
United States Border Patrol

Sworn and subscribed to before me telephonically
on this 17th day of June 2025.



HONORABLE JEREMIAH J McCARTHY
United States Magistrate Judge